

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MC ALLEN DIVISION

UNITED STATES OF AMERICA,	)	CRIMINAL
	)	
Plaintiff,	)	McAllen, Texas
	)	Tuesday, May 16, 2017
vs.	)	(10:04 a.m. to 10:12 a.m.)
	)	
LUIS ANTONIO RODRIGUEZ,	)	CASE NO: 7:17-CR-00128-2
ROGELIO RAMOS, JR.,	)	CASE NO: 7:17-CR-00128-3
	)	
Defendant.	)	

OPENING STATEMENT ON BEHALF OF THE GOVERNMENT

BEFORE THE HONORABLE RANDY CRANE,  
UNITED STATES DISTRICT JUDGE

APPEARANCES: (CONTINUED ON PAGE 2)

For Plaintiff: ROBERT L. GUERRA, JR., ESQ.  
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Transcribed by: Exceptional Reporting Services, Inc.  
P.O. Box 18668  
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Proceedings recorded by electronic sound recording;  
transcript produced by transcription service.

APPEARANCES FOR:

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Rogelio Ramos, Jr.:

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INDEX

OPENING STATEMENT

PAGE

BY MR. GUERRA

4

1 McAllen, Texas; Tuesday, May 16, 2017; 10:04 a.m.

2 (Partial transcript; Government's Opening Statement)

3 (Jurors present)

4 THE COURT: All right. So the Government gets to go  
5 first. Mr. Guerra, you may begin your opening statement.

6 MR. GUERRA: May I remain in the well?

7 THE COURT: You may.

8 OPENING STATEMENT ON BEHALF OF THE GOVERNMENT

9 BY MR. GUERRA: Good morning, ladies and gentlemen of  
10 the jury. My name is Robert Guerra. I represent the  
11 Government in this case. Also, my co-counsel will be Andrew  
12 Swartz. My case agent will be Joshua Van Wellis (phonetic) and  
13 you're going to be hearing testimony over the next few days  
14 regarding what the judge has already instructed you is a  
15 second-chance financing scheme.

16 You're going to hear from an individual by the name  
17 of Juan Cruz. Mr. Cruz is a father and a husband and he along  
18 with his wife want to build a house. They want to build their  
19 dream house and so they work very hard. They save up their  
20 money. They buy a lot and they wanted to build a house on it  
21 but they can't get financing from the bank. But they both have  
22 jobs. They're both working very hard. They have money coming  
23 in.

24 So they -- they're looking for a solution to this.  
25 How can we build a house? If we have to pay all of it in cash

1 up front, that's going to be very difficult. It's going to  
2 take a lot of time. So one day they hear about a couple of  
3 individuals. You're going to hear about Artemio Gomez. You're  
4 going to hear about Luis Rodriguez. You're going to hear about  
5 Rogelio Ramos.

6           These are the individuals that were originally read  
7 to you or explained to you in the indictment. These men had  
8 businesses. Mr. Gomez had a business known as TG & Wealth.  
9 Mr. Luis Rodriguez and Mr. Rogelio Ramos, Jr. had a business  
10 known as Infinite Property. Infinite Property was in the  
11 business of second-chance financing, people with no credit, bad  
12 credit, no social security numbers. They held themselves out  
13 to be a private investment group. We can help you buy your  
14 house. All right.

15           Mr. Cruz hears this. Well, okay, maybe they can help  
16 me. So he goes in and he starts talking. And here are the  
17 terms that he has to agree to. You need a 10-percent down  
18 payment on your house. You're going to get a 20-year mortgage  
19 at eight and a half percent and we'll lend you the money to get  
20 the house of your dreams. Mr. Cruz thinks this sounds too good  
21 to be true. I mean, here he is, been scraping and saving.  
22 It's been looking like it's going to be hard for him to get  
23 this dream house for his family but now there are these people  
24 that say they want to help him. They're offering him a chance  
25 to have his dream.

1           So he goes into the businesses and he says, all  
2 right. Show me the contracts. You need a purchase agreement.  
3 He's going to put down 10 percent as his down payment and he's  
4 going to told, great, your closing is scheduled. You're going  
5 to come in on this date. We're going to be good. And he  
6 thinks, wow, this is the answer to all my dreams. I'm going to  
7 be able to finally build a house for my family, the house my  
8 family deserves.

9           But what he doesn't know is that his money is already  
10 gone. That down payment isn't going to go to his house and the  
11 companies that he thinks are going to give him his dream home,  
12 they have no money.

13           Now, you're probably going to hear some testimony  
14 from the Defense or through the course of testimony that  
15 Infinite Property was in talks to get a loan for \$10 million  
16 but you're also going to hear that they never had that money.  
17 You're going to hear that Mr. Cruz was told, great, we're going  
18 to buy your house. We're going to close on this date.  
19 Everything is going to be good.

20           But the problem is that Infinite Property and TG  
21 Wealth never had the money to close on that house. They didn't  
22 have the \$10 million and the thing of it is, they also didn't  
23 keep the down payment safe. When he goes in to hand over his  
24 money, he's given a purchase agreement and it's what he thinks  
25 is going to govern his life for the next couple of days until

1 he gets that money for the house, right? It's going to have  
2 the terms on it. This is how -- this is, you know -- we're  
3 going to shake hands. We're going to sign the thing. This is  
4 what we're going to agree to, right?

5           The contract -- or the purchase agreement says that  
6 if the seller -- and you're going to see that the seller was  
7 going to be Infinite Property. They were going to be doing a  
8 home-financing, owner-financing-type thing where Infinite  
9 Properties was to buy the lot for him or buy the house or  
10 whatever it is and they're going to sell it to the person.  
11 Now, Mr. Cruz wants to buy his house. He's a little different  
12 but the contract is still going to say if the seller, in this  
13 case Infinite Properties, can't perform that the buyer gets its  
14 money back.

15           You're also going to hear evidence that from the  
16 period of about April all the way through the end of July,  
17 beginning of August that Infinite Property and TG & Wealth  
18 began to recruit people into this scheme, people like Mr. Cruz,  
19 people who can't get the houses they want, people with bad  
20 credit but people that have some money squirreled away, people  
21 that have a down payment.

22           So these people start coming in and they start  
23 signing up with TG & Wealth and with Infinite Property. And  
24 they say, yeah, I can give you the down payment. I've got that  
25 money and I can make that monthly payment. I can afford this

1 house and they told him, great, give us your money. We'll give  
2 you a house.

3           So starting in about April, money starts rolling into  
4 this organization. Money comes in. And you're going to hear  
5 that there were people recruited to bring in people into this  
6 business, people that said, hey, you need to get a house? I  
7 heard about this company over here. I can tell you, these are  
8 their terms. Just go over to either TG & Wealth or Infinite  
9 Property and we'll sign you up. This is the contract. Those  
10 people were being paid out of the down payments.

11           So when Mr. Cruz puts his down payment down, it's not  
12 going toward his house. It's going toward every other person  
13 in this scheme that needs their money and it's gone. That's  
14 the story that you're going to hear. You're going to hear  
15 about this wire fraud. Now, people were -- there's emails  
16 going -- involved in this one. There's bank transfers. People  
17 get cashier's checks. People putting in deposits in other  
18 places. You're going to hear about that because that's how  
19 this was accomplished. There were advertisements on Facebook,  
20 advertisements on Craig's List and there were emails sent back  
21 and forth telling people, hey, we can do this for you.

22           That's how they get you in the door. Once you're in  
23 the door, they say, yeah, great. We'll buy you that house.  
24 Just give us the down payment. They didn't tell them, well,  
25 we're not really going to hold your down payment. It's not



1 really safe. We're not going to give it back to you. We're  
2 going to go spend that on some other stuff. We're going to pay  
3 our people with it. We're going to do some other things with  
4 it. They didn't tell them that and they sure didn't tell  
5 anybody, well, we're going to get that loan but we don't have  
6 it yet.

7           And, ladies and gentlemen, that's what's known as a  
8 "fraudulent misrepresentation." So as you're listening to all  
9 this evidence, I want you to ask yourself a question. If the  
10 Defendants had been honest and told everybody, give me your  
11 down payment and I'll get that loan eventually. I'm going to  
12 buy your house but I can't do it just yet. I'm going to get  
13 that loan but give me your money anyway. Where could those  
14 people go? Would they have given their down payment if they  
15 knew there was no money? And would they have given that down  
16 payment if they knew the down -- the money they were giving  
17 wasn't going to go to the home they wanted? And that's where  
18 the fraud is, ladies and gentlemen.

19           So I'm asking you to listen to the evidence and at  
20 the end of the day, you'll have heard it all. Thank you.

21           **(Requested transcription concluded at 10:12 a.m.;**  
22 **proceeding continued)**

23

24

25

CERTIFICATION

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter.

A handwritten signature in black ink, appearing to read "Toni Hudson", is positioned above a horizontal line.

May 23, 2017

TONI HUDSON, TRANSCRIBER